

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VAHAN JALADIAN,

Plaintiff,

No. CIV S-04-1304 LKK CMK P

vs.

C.A. HUGHES, et al.,

Defendants.

ORDER

_____/

Plaintiff has requested the appointment of counsel. The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990). In the present case, the court does not find the required exceptional circumstances. Plaintiff's motion for the appointment of counsel will therefore be denied.


////

////

////

1 Accordingly, IT IS HEREBY ORDERED that plaintiff's November 21, 2005
2 motion for the appointment of counsel is denied.

3
4 DATED: December 5, 2005.

5
6 
7 **CRAIG M. KELLISON**
8 UNITED STATES MAGISTRATE JUDGE

9 /mp

10 jala 04cv1304.31